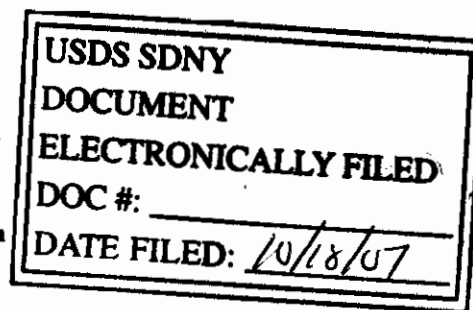


MEMO ENDORSED

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October 17, 2007

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Honorable P. Kevin Castel
 United States District Judge
 United States Courthouse
 500 Pearl Street
 New York, New York 10007

JOINT APPLICATION

Re: Federal Insurance Company
 v. Expeditors International of Washington, Inc., et al.
 07 Civ. 3166 (PKC)
 Our Files: 6C-1364 & 7C-1489

Dear Judge Castel:

I represent the plaintiff in this action which involves two separate cargo claims. A settlement agreement has been reached as to the cargo claim set forth in Schedule A of the complaint ("Schedule A Claim"). A draft of a stipulation of partial dismissal is in circulation for the Schedule A Claim. As to the cargo claim set forth in Schedule B of the complaint the intention is to proceed with that claim against the Expeditors defendants and certain third party defendants. Counsel intend to continue efforts to resolve the Schedule B Claim. The stipulation will include a proposed provision allowing amendment of the complaint to add the underlying trucker as a party for the remaining claim. For this reason all counsel join in respectfully requesting a forty-five day adjournment of the October 19, 2007 court conference. The Court's attention is appreciated.

Respectfully,

David L. Mazaroli
 dlm@mazarolilaw.com

DLM/jcf

cc: All counsel of record by e-mail as per annexed list

*Conference adjourned
 from October 19 to
 December 7, 2007 at 11:00 a.m.
 SO ORDERED*

10-17-07